

West Contra Costa Unified School District  
Board of Education  
Meeting Agenda  
August 19, 2009

Board Agenda

**B. OPENING PROCEDURES**

**B.1 Pledge of Allegiance**

**B.2 Welcome and Meeting Procedures**

**B.3 Roll Call**

**B.4 Report/Ratification of Closed Session**

\* **B.5 Agenda Review and Adoption** (Public Comment)

\* **B.6 Minutes:** July 29, 2009

**C. BUSINESS ITEMS**

**CONSENT ITEMS** (Routine Matters)

Consent Calendar Items designated by “CI” are considered routine and will be enacted, approved and adopted by one motion, unless a request for removal,



**\*CI C.8 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: Richmond High School Fieldhouse; El Cerrito High School Admin/Theater Building; and El Cerrito High School New Campus. Change Orders are fully executed by the District upon signature by the Superintendent's designee. Board ratification is the final step required under state law in order to complete payment and contract adjustment.

Recommendation: Ratify negotiated Change Orders as noted

Fiscal Impact: Total ratification and approval by this action: \$110,736.

**\*CI C.9 2010 Facilities Master Plan: Contract for Asset Management Plan**

Comment:

The District needs to update its Facilities Master Plan. There have been a number of recent recommendations from audit reports and management reports (MGT Report 2006, TSS Performance Audit 2008) which have stressed the need to complete an updated and fully integrated plan. In addition, the District has completed the development of its School Consolidation plans which need to be integrated into a new facilities master plan. Finally, the District needs to engage in an update of its Bond Program plans, integrating the Bond Program planning with all District facilities needs. A new WCCUSD Facilities Master Plan is anticipated to include the following components:

1. Overall Facilities Master Plan fully integrated with updated District Bond Program planning;
2. New District-wide plan incorporating adopted School consolidation plans;
3. Updated seismic and geotechnical



DLM Architects has prepared plans a

Recommendation: For Information Only

Fiscal Impact: None

Fiscal Impact: None

**E. PUBLIC AND COMMITTEE COMMUNICATIONS**

(Education Code 35145.5; Government Code 54950 et seq.)

\* **E.1 Superintendent's Report**

\* **E.2 Request to Address the Board – Desmond Carson**

Comment:

Desmond Carson has requested to speak about the lack of restroom facilities at the Kennedy high School Football Field.

Recommendation:

For Information Only

Fiscal Impact: None

\* **E.3 WCCUSD Public Comment**

Members of the public are invited to speak to the Board about any matter that is not otherwise on the agenda and is related to issues affecting public education in the WCCUSD. **Approximately 30 minutes will be allocated for this item.** If there are more requests to speak than can be heard within this time limit, "WCCUSD Public Comment" will continue after Item G. Individuals wishing to speak must submit a "WCCUSD Public Comment" form prior to the beginning of this item on the agenda.

Depending on the number of persons who wish to speak, from one to three minutes will be allocated to each speaker at the discretion of the President of the Board in order to accommodate as many speakers as possible. The Board cannot dialogue on any issues brought before it by the public that have not been previously agendized, but may refer these to staff for response and/or placement on future agendas.

**F. ACTION ITEMS**

\* **F.1 Resolution No. 23-0910, Authorizing the Comp**



supplement), QSCBs can be issued at a lower overall debt service cost, which may permit the District to borrow more money sooner, accelerate the bond construction program, and achieve savings in construction costs. Certain significant limitations apply to QSCBs: the bonds may only be issued for specific purposes, generally limited to new construction or rehabilitation of school facilities and related capital costs, including land and equipment, which overlap closely with the District's own voter-approved Bond Project List. Refundi

The Program aims to improve student attendance, promote equity, and enhance students' access to jobs and after-school activities through the provision of bus fare subsidies to low-income students in West Contra Costa County.

**AGENCIES INVOLVED, ROLES & RESPONSIBILITIES**

- *Contra Costa Transportation Authority (CCTA)* allocates funding for the Program.
- *West Contra Costa Transportation Advisory Committee (WCCTAC)* provides overall Program oversight and policy direction.
- *West Contra Costa Unified School District (District)*

Recommendation: That the Board rescind its decision to move the Portola students to modular buildings at El Cerrito High school and consider other options.

Fiscal Impact: Undetermined at this time.

\* **F.5 Resolution No. 24-0910 Equity Initiative**

Comment:

As a district we believe that equity will be a reality when all students achieve at high levels of proficiency regardless of race. Despite this belief, the academic achievement gap persists and disproportionate numbers for students of color are referred for discipline, suspension and special education.

In the past year, we have renewed our commitment to successfully addressing the achievement gap and the issues of educational equity that surround it. We are building for a future where race is no longer a predictor of academic and social success in both school and later life. As we approach this challenge we realize that highly skilled, knowledgeable, culturally proficient adults and district institutional policies, rooted in culturally responsive practice, are critical to our success.

We understand that every decision we make and every action we take, in every district school and department, has a positive or negative impact in terms of moving us toward our goal. Therefore, our path to equity must encompass each program, office and staff member in WCCUSD. In addition, we recognize the importance of embracing parents and the community as partners in education and leveraging their resources in support of culturally responsive schools.

Tonight we bring forth a resolution to the Board of Education in support of our focus on equity and high achievement for all students. We respectfully request the Board to adopt this resolution in order to affirm the Districtwide commitment to ensuring that every student in WCCUSD has an equitable education which results in high, academic achievement, as well as future career, economic and social success.

Recommendation: Approval

Fiscal Impact: None

**G. DISCUSSION ITEMS**

\* **G.1 Status Reports – Facilities Planning and Construction**

Comment:

The following are provided for review of Facilities Planning and Construction in the District's Bond Program and for information regarding individual projects:

- Engineering Officer's Report—Verbal Presentation
- Construction Status Reports—Current Construction Projects

Recommendation: For Information Only

Fiscal Impact: None

**H. UNFINISHED REQUESTS TO ADDRESS THE BOARD** (continued from Item E)

**I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT**

**J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING**

Lovonya DeJean Middle School – September 2, 2009

**K. ADJOURNMENT**

At 10:00 PM, any items remaining on the agenda that require immediate attention will be moved to this time. All other items will be tabled to another or the following Board meeting in order to make fair and attentive decisions. The meeting will adjourn at 10:30 PM. The meeting may be extended by a majority vote of the Board of Education.

The public may address items which are marked with an asterisk (\*).

**A. CLOSED SESSION**

**A.1 CALL TO ORDER**

**A.2 DISCLOSURE OF ITEMS TO BE DISCUSSED IN CLOSED SESSION**  
(Government Code 54957.7)

**A.3 RECESS TO CLOSED SESSION AS SCHEDULED**

**See Exhibit A**

(Government Code Section 54954.5)

The **Open Session** will resume at the end of the **Closed Session** in the Multi-Purpose Room at approximately **6:30 PM**.

**EXHIBIT A**

(Government Code Section 54954.5)

**CLOSED SESSION AGENDA**

**August 19, 2009**

**1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

1. Negotiator: Superintendent / Dr. Bruce Harter
2. Property: Land located on either side of Lexington Avenue between Stockton Avenue and Eureka Street in El Cerrito, CA. Price and all terms of agreement.
3. Property: 1021 Navellier Street, El Cerrito, CA. Price and all terms of agreement.
4. Property: 7125 Donal Avenue, El Cerrito
5. Property: 1060 Manor Road, El Sobrante
6. Property: 2000 Southwood Drive, San Pablo
7. Property: 5000 Patterson Circle, Richmond
8. Property: 2853 Groom Drive, Richmond
9. Property: Part of Stores Warehouse on 810 Ohio Street, Richmond.

**2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**

[Government Code Section 54956.9(a)]

1. WCCUSD v. RDS Architects
2. Lumagbas et al. v. WCCUSD et al.
3. Srago v. WCCUSD

**3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION**

[Government Code Section 54956.9(b)]

Four cases

**4. LIABILITY CLAIMS (Government Code Section 54956.95)**

**5. CONFERENCE WITH LABOR NEGOTIATORS**

- a. Superintendent/Dr. Bruce Harter
- b. Employee Organizations
  - UTR
  - Local One
  - School Supervisors Association
  - WCCAA
- c. Unrepresented Employees
  - Confidential and Management

**6. PUBLIC EMPLOYEE APPOINTMENT**

The following administrative appointments will be reported for the 2009-2010 school year:

Elementary School Vice Principal

**7. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (CER 54957)pal**

7.